

REMARKS

Claims 1 through 21 were presented for examination in the present application. The instant amendment adds new claims 22 through 24. Thus, claims 1 through 24 are presented for consideration upon entry of the instant amendment.

The specification has been amended to recite that the "elasticated edge 34 is curved with respect to first and second knitting directions 46, 48". Support for this amendment can be found at least in original claim 8, as well as in Figure 3.

Claims 1 through 21 were rejected under 35 U.S.C. §102 over U.S. Patent No. 3,999,406 to Boeckle et al. (Boeckle).

Independent claim 1 now recites that the plurality of second yarns terminate "at a knit stitch". Support for this amendment can be found at least in paragraph 30.

Boeckle discloses a pantyhose waist opening. Boeckle describes the knit structure of the waist opening with respect to Figure 3, which is reproduced below for the convenience of the Examiner. Specifically, Boeckle discloses that:

Beginning at the separating line 9 between the regions 7, 8 or 7a, 8a a thread 13 of elastic thread material is inserted at the second feed labelled B and the fourth feed labelled D. This thread 13 is worked into the whole region 7, 7a, it being generally sufficient if the regions 7, 7a extend over less than twenty loops. In the embodiment example of FIG. 3 the threads 13 are bound in into the knit structure by being first taken up by two adjacent needles and worked into a stitch or a tuck and then they are left floating by the next two needles. Next the threads 13 are worked by nine successive needles into stitches or tucks, resulting in the part of the fabric bounded by lines 14 and

15 in FIG. 3. Then the threads 13 are again left floating by two adjacent needles and worked into stitches by two further needles so that they are firmly bound into the part of the fabric between the lines 15 and 16. Finally the threads 13, the ground threads 11 and the reinforcing threads 12 are cut off along the line 16 (emphasis added). See col. 4, lines 40-58.

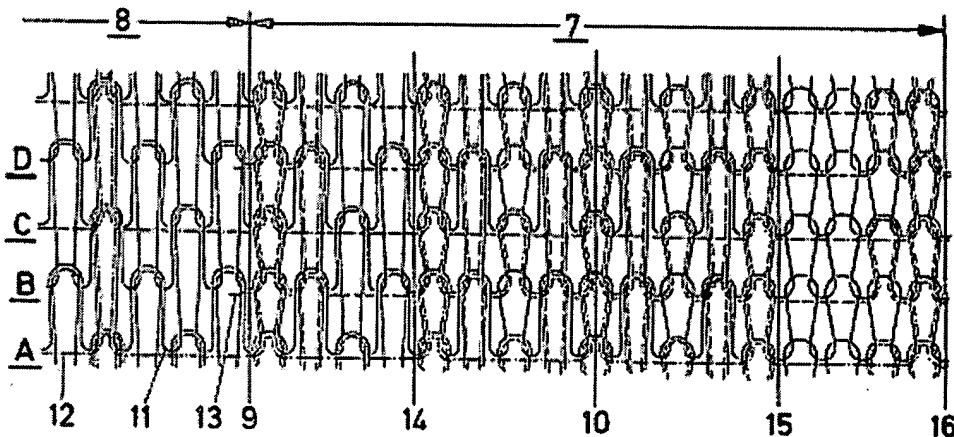


Fig.3

Accordingly, it is submitted that the elastic threads 13 of Boeckle are cut off and, thus, can be pulled back into the knit structure during normal use. In contrast, the knit stitch now recited by claim 1 mitigates such pull back. It is respectfully submitted that the cut off thread of Boeckle does not disclose or suggest the knit stitch recited by claim 1.

Claim 1 is therefore believed to be in condition for allowance. In addition, claims 2 through 6 are believed to be in condition for allowance for at least the reason that they depend from the aforementioned claim 1. Reconsideration and withdrawal of the rejection to claims 1 through 6 are respectfully requested.

Independent claim 7 now recites an edge formed from a plurality of second yarns that "terminate at a knit stitch". Similarly, independent claim 8 now recites a circumference formed by a plurality of second yarns that "terminate at a knit stitch" while independent claim 11 recites a plurality of second yarns that provide a tension at the edge when worn on a human body and "terminate at a knit stitch".

Again, it is respectfully submitted that the cut off thread of Boeckle does not disclose or suggest terminating at a knit stitch as recited in claims 7, 8, and 11. Accordingly, claims 7, 8, and 11 are believed to be in condition for allowance. In addition, claims 9 through 10 and claims 12 through 21 are also believed to be in condition for allowance for at least the reason that they depend from the aforementioned claims 7 and 11, respectively.

Claims 22 through 24 have been added to point out various aspects of the present application. Support for new claims 22 through 24 can be found at least in original claims 1 through 21.

It is believed that claims 22 through 24 are in condition for allowance.

For example, claim 22 is believed to be in condition for allowance for at least the reason that it depends from claim 8 discussed above.

Independent claim 23 recites, among other elements, an elasticated edge that "terminates at a knit stitch" to define a garment opening, where the garment opening is "curved with respect to said first and second knitting directions".

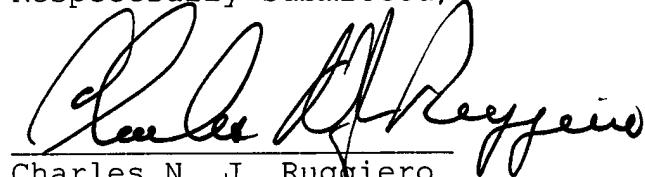
Again, it is submitted that the cut off thread of Boeckle does not disclose or suggest termination at a knit stitch as recited in claim 23.

Claim 24 is believed to be in condition for allowance for at least the reason that it depends from the aforementioned claim 23.

In view of the above, it is respectfully submitted that the present application is in condition for allowance. Such action is solicited.

If for any reason the Examiner feels that consultation with Applicants' attorney would be helpful in the advancement of the prosecution, the Examiner is invited to call the telephone number below.

Respectfully submitted,



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